

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 57-106 are pending in this application.

Claims 1-35 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Schulhof et al. Claims 36-56 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Schulhof in view of Stokes. Since claims 1-56 have been canceled, these rejections are deemed moot.

Applicant submits that new claims 57-106 are not anticipated by Schulhof or “obvious” in view of Schulhof and Stokes. For example, independent claims 57, 83 and 99 require, *inter alia*, transferring authorization to render protected electronic content from a first device to a second device. This feature is supported by, for example, pages 99-128 of the originally-filed specification. In particular, attention is directed to the section labeled “Transferring music from lost or damaged devices” beginning on page 106 and the section labeled “Transferring music” beginning on page 119 of the originally-filed specification.

Independent claims 71, 90 and 100 require, *inter alia*, providing authorization to render protected electronic content to a second device in addition to previously providing authorization to render the protected electronic content to a first device. This feature is supported by, for example, page 99 to 128 of the originally-filed specification. In particular, attention is directed to the section labeled “Transferring music to another device as a courtesy” beginning on page 106 of the originally-filed specification.

Independent claim 97 requires, *inter alia*, “communicating a transfer authorization request to transfer authorization to render the protected electronic content

**FISCHER et al.**  
**Application No. 09/363,413**  
**December 2, 2004**

from the first device to the second device." Independent claim 98 requires, *inter alia*, "communicating an authorization to render requests to obtain additional authorization to render the protected electronic content using the second device."

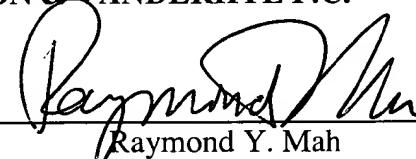
Schulhof alone or in combination with Stokes fails to teach or suggest any of the above claimed features. Applicant submits that new claims 57-106 are allowable.

**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

Raymond Y. Mah  
Reg. No. 41,426

RYM:sl  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4044  
Facsimile: (703) 816-4100